



National Association of Social Workers
Michigan Chapter

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Maxine A. Thome, PhD, ACSW, MPH

December 5, 2006

Representative John Stahl
Members of the House
Family and Children Services Committee

Dear Representative Stahl and Committee Members:

The Michigan Chapter of the National Association of Social Workers would like to express its opposition to House Bill 5267 (Mandatory Joint Custody) as introduced.

The Chapter, which represents almost 8,000 licensed social workers in Michigan, believes that the courts and those trained professionals doing custody evaluations are the most informed about the specific issues in each custody case and are in the best position to determine what is in the best interests of the child. Mandating joint custody, even with the exceptions specified in the bill, would limit the court's ability to consider extenuating circumstances, special needs of the child, and other factors that might affect the physical, mental and emotional well-being of the child.

Of particular concern to us is the role that domestic violence plays in custody disputes. According to a briefing paper on child custody and domestic violence by the Michigan Coalition against Domestic and Sexual Violence, there are consistent findings from research on the effects of domestic violence on children that are impressive enough to convince other states to enact presumptions against granting joint or sole custody to confirmed partner abusers. As noted by the Coalition, in cases in which there is a history of domestic violence, the abusive parent has used a variety of means, including custody disputes, to assert authority and maintain control of the victim.

We realize that some have expressed concern about fatherhood issues, and we are very willing to work with them to address their concerns. The Chapter, however, would still oppose HB 5267 as introduced.

If you have any questions or would like additional information, please contact me at 517-487-1548 ext 104 or Linda Burghardt, Governmental Relations Director, at 517-487-1548 ext 101.

Thank you.

Sincerely,

Maxine Thome, PhD, LMSW, ACSW, MPH
Executive Director